

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Timothy McGuire and James Lee
Joseph Ryan,

Plaintiffs,

v.

Case No. 05-40185

Royal Oak Police Sgt. Douglas Warner,
et al.,

Honorable Sean F. Cox

Defendants.

ORDER DENYING
DEFENDANTS' REQUEST TO RECALL TIMOTHY RENAUD

This matter is currently before the Court on Defendants' request to recall Timothy Renaud as a witness in order to elicit testimony from him regarding a prior conversation between him and Plaintiffs' counsel. The Court shall deny this request because the line of questioning is irrelevant to the claims and defenses in this action. Moreover, even if the line of questioning were marginally relevant, the Court would preclude the testimony under Fed. R. Evid. 403 because its probative value would be substantially outweighed by the danger of unfair prejudice, confusion of the issues, and considerations of delay, waste of time and needless presentation of cumulative evidence.

Accordingly, **IT IS ORDERED** that Defendants' request to recall Timothy Renaud is **DENIED**.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: August 10, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 10, 2009, by electronic and/or ordinary mail.

S/Jennifer Hernandez

Case Manager